

REMARKS/ARGUMENTS

Claims 1, 2, 5, 7, 9-11, 16 and 17 stand rejected, with claims 3, 4, 6, 8 and 12-15 objected to in the outstanding Official Action. During a telephone interview conducted December 5, 2006 with Examiner Kim, the undersigned was informed that claim 14 contained allowable subject matter (since it depended from claim 13 which was objected to). Therefore, claims 3, 4, 6, 8 and 12-15 are objected to, contrary to the statement that claim 14 is rejected on page 2 of the Official Action. Applicants have submitted for consideration newly written claims 18-25 (corresponding to objected to claims 3, 4, 6, 8 and 12-15) and therefore claims 1-25 remain in this application.

The Examiner's consideration of Applicants' previously submitted Information Disclosure Statement is very much appreciated.

Applicants note that the present application is a national phase entry of PCT International Application PCT/GB04/04061, and in the Notice of Acceptance of Application mailed April 3, 2006, the U.S. PTO Receiving Office confirms receipt of the "priority documents filed on 12/14/2004." Accordingly, Applicants believe that acknowledgment of the claim for priority under 35 USC §119 should be marked in the Office Action Summary Sheet, i.e., boxes "12," "a" and "3" should all be marked.

The Examiner's withdrawal of the restriction requirement is very much appreciated.

On page 3 of the outstanding Official Action, claims 3, 4, 6, 8, 12, 13 and 15 are indicated as containing allowable subject matter. Pursuant to the above telephone interview with Examiner Kim, claim 14 was also indicated as containing allowable subject matter. Claims 3, 4, 6, 8 and 12-15 have been rewritten as independent claims 18-25 and are literal combinations of the objected to dependent claims and claims from which they depend. The only exceptions are

claims 21 and 24 which depend from objected to claims and thus their dependency has been maintained. As suggested on page 3 of the Official Action, claims 18-25 correspond to the objected to claims, but rewritten in independent form including verbatim all of the limitations of the base claims from which they depend. Thus, newly written claims 18-25 are believed to be in condition for allowance and notice to that effect is respectfully requested.

Claims 1, 2, 5, 7, 9, 10, 11, 16 and 17 stand rejected under 35 USC §102 as being anticipated by Lowry (U.S. Patent 6,418,267) (note that claim 14, inasmuch as it depended from allowable claim 3, was indicated as not being rejected during the above-noted telephone interview).

Applicants have amended independent claims 1 and 10 to more positively recite the subject matter of the claimed invention, i.e., a plurality of optical fiber arrays, a signal detector and a means for connecting the array outputs to transmit the electromagnetic radiation in sequence to the signal detector.

The Lowry reference, as noted by the Examiner, does contain a plurality of arrays. However, the arrays are for transmission of electromagnetic radiation generated in "arc lamp illumination source (18)" (column 6, lines 23-24) which are concurrently supplied to all of the plurality of arrays. Therefore, because Lowry is a display system, it clearly does not teach a plurality of optical fiber arrays "oriented to receive electromagnetic radiation from free space and arranged to transmit the electromagnetic radiation to an array output."

Applicants have also positively recited the "signal detector" (previously inferentially recited in independent claim 1). Thus, Applicants' claimed interrelationship is the plurality of arrays, the signal detector having an input and the means for connecting the array outputs to

transmit the electromagnetic radiation in sequence to said signal detector input. Even if the Lowry arrays were used to gather electromagnetic radiation from free space as set out in independent claims 1 and 10, there is no signal detector, nor is there any means for connecting as specified in claims 1 and 10. Accordingly, Lowry is unrelated to the subject matter of Applicants' independent claims 1 and 10 and any further rejection thereunder is respectfully traversed.

The Examiner's indication of allowable subject matter in various dependent claims is very much appreciated and, as noted above, is reflected in newly written claims 18-25. Consideration and allowance of these claims is respectfully requested.

Having responded to all objections and rejections set forth in the outstanding Official Action, it is submitted that claims 1-25 are in condition for allowance and notice to that effect is respectfully solicited. In the event the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, she is respectfully requested to contact Applicants' undersigned representative.

Respectfully submitted,

NIXON & VANDERHYTE P.C.

By: 

Stanley C. Spooner
Reg. No. 27,393

SCS:kmm
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100